

Remarks

Claims 3-4 and 17-19 have been canceled without prejudice to the filing of continuing applications.

The claims stand rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the written description requirement. Specifically, the Examiner contends that the specification does not support the “broadly claimed RNA molecules” of claims 1-26. The claims have been amended to distinct RNA molecules, oligoribonucleotides, of from between 12 to 36 nucleotides in length and comprising at least one modified 2'-deoxy-2'-fluoro nucleotide having at least one 2'-deoxy-2'-fluoro uridine and at least one 2'-deoxy-2'-fluoro cytidine. Applicants submit that the specification, including the five species disclosed in the specification that the Examiner alludes to, amply support claims to such oligoribonucleotides. Withdrawal of the lack of written description rejection is therefore respectfully requested.

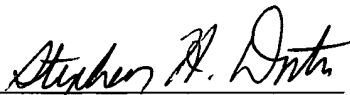
Claims 14-23 stand rejected under 35 U.S.C. §112, first paragraph, for lack of enablement. While the Examiner acknowledges enablement for “methods of increasing the stability of an RNA molecule comprising 2'-deoxy-2'-fluoro uridine nucleotides...or an RNA molecule comprising 2'-deoxy-2'-fluoro uridines, cytosines and phosphorothioates”, she does not so acknowledge enablement for such methods involving the stability of RNA molecules comprising 2'-deoxy-2'-fluoro cytidines, adenosines, and guanosines. Again, the claims have been amended to a method of increasing the stability of an oligoribonucleotide of length between about 12 and about 36 nucleotides by introducing at least one modified nucleotide into the oligoribonucleotide wherein the modified nucleotide is a 2'-deoxy-2'-fluoro nucleotide *having at least one 2'-deoxy-2'-fluoro uridine and at least one 2'-deoxy-2'-fluoro cytidine*. The specification, and specifically RE115, teaches such a stable oligoribonucleotide having at least one 2'-deoxy-2'-fluoro uridine and at least one 2'-deoxy-2'-fluoro cytidine. For this reason, withdrawal of the rejection is respectfully requested.

Finally, in response to the nonstatutory obviousness-type double patenting rejection, Applicants submit herewith a properly executed terminal disclaimer to overcome the rejection.

Allowance of the claims and passage of the case to issue is respectfully solicited. Should the Examiner believe a discussion of this matter would be helpful, she is invited to telephone the undersigned at (312) 913-0001.

Respectfully submitted,
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